



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
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December 14, 2010

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

49 DECEMBER 14, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**ADOPT, ADVERTISE, AND AWARD
UTILITY CONSTRUCTION AT A FLOOD CONTROL DAM
PACOIMA DAM UNDERGROUND UTILITY PROJECT
IN THE UNINCORPORATED COMMUNITY OF SYLMAR
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action is to approve an underground utility project for utility construction at Pacoima Dam in the unincorporated community of Sylmar; find that the project is categorically exempt from the provisions of the California Environmental Quality Act; adopt the plans and specifications; and authorize the Director of Public Works or her designee to award, execute, and implement a construction contract with the apparent responsible contractor with the lowest responsive bid.

IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

1. Find that this project is categorically exempt from the provisions of the California Environmental Quality Act.
2. Approve the project and adopt the plans and specifications for Pacoima Dam Underground Utility Project, utility construction at a flood control dam, in the unincorporated community of Sylmar, at an estimated cost between \$475,000 and \$650,000.
3. Call for bids to be received on January 25, 2011.
4. Instruct the Executive Officer of the Board of Supervisors to advertise the project and seal and

return the plans and specifications to the Department of Public Works for filing.

5. Authorize the Director of Public Works (Director) or her designee to award, execute, and implement a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range, approve the Faithful Performance and Labor and Material Bonds and insurance submitted by the contractor, and deliver the project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain approval of the project from the County of Los Angeles Board of Supervisors (Board), acting as the governing body of the Los Angeles County Flood Control District, and to adopt the plans and specifications; advertise for bids for a construction contract to restore essential communications, power, and water facilities at Pacoima Dam that were damaged in the Sayer Fire in November of 2008; and the performance of other appurtenant work.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The recommended actions will help achieve these goals by providing improved flood protection for residents downstream of the dam during earthquakes and major storms.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction cost to complete this project is in the range of \$475,000 to \$650,000. Sufficient funds for this project are included in the Fiscal Year 2010-11 Flood Control District Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project, to contract for utility construction at Pacoima Dam, is part of the Department of Public Works' (Public Works) program for the restoration of facilities damaged by the Sayer Fire. It will be advertised in accordance with Section 20991 of the State Public Contract Code.

This project is to be completed in 40 working days. It is estimated the work will start in April 2011 and be completed in June 2011.

Delegating to the Director of Public Works (Director) or her designee the authority to award, execute, and implement this construction contract allows an expedited contracting process to obtain a contractor for the restoration of essential communications, power, and water facilities at this flood control dam.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain

provisions requiring the contractor to comply with terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County of Los Angeles' (County) Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the County's Defaulted Property Tax Reduction Program, County Code, Chapter 2.206; and the standard Board directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt pursuant to Article 19, Section 15302 of the California Environmental Quality Act Guidelines. This includes the conversion of overhead electric utility distribution system facilities to underground including connection to existing utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. The award by the Director or her designee will be made after review of the bids meeting the criteria established by your Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by providing improved flood protection for residents downstream of the dam during earthquakes and major storms.

CONCLUSION

Please return one adopted copy of this letter to Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is cursive and fluid, with the first name "Gail" and last name "Farber" clearly legible.

GAIL FARBER
Director

GF:JTS:lg

c: Chief Executive Office
County Counsel
Executive Office
Office of Affirmative Action Compliance